GRS IX-5] 1910

Previous References (MW3)

File no: 336

Serial no 1-12

Later References

MW3 - 16, 24-1-5

-11- 292-30-3-6, 9, 10, 11.

General and Revenue Secretariat.

Serial 325

Part B for April 22

Subject

Alienation of properties attached to the Mosque at Sultanpet Bangalore city of the Khazi of Bangalore

DC Bangalore

3639 dt. 14.4.21

Passing Orders Re ———

G. R. S. IX-5]

Previous references.

1916.
1923.
(Misc)

File No. 336

Serial Nos. 1—12.

Later references.

Genl. 16-24-1-5
" 292-30-3, 6, 9, 10, 11

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for April 22

SUBJECT.

Alienation of properties attached to the Mosque at Sultanpet Bangalore city by the Khazi of Bangalore

D.C. Bangalore.
3639 Dy 14-4-21.

Passing orders re

WD 1888—GPB—16,826—23-7-21

G.R.S.11] 1910.

GENERAL AND REVENUE SECRETARIAT

(Bombay)

NOTES.

File No.

FILE HEADING.

Complaint by the Central Mahomedan Association about the alienation of certain property of Sultan Peth mosque

From

No.	Dated	Received
Diary No.	Enclos.	Spare Copies / Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

Reminder 17/11/1911

12 Left

NOTES—First sheet

GPB—30,000—3-1-07

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Mr. C K. Aiken
3/12/10

Subject
Files no 42 of 1892
87 of 1898

GPB—45,000—19 5-08

G.R.S. 13]

(3

Routine Notes.

[To be used only for notes, requisitions, etc, not intended for permanent record.]

7

N —Should routine notes be written on small slips, the notes must be copied or slips pasted on this form

GPB —55,000—21-4 09

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record]

To the Dy Cmr, Kuala St

No 1740 / mur 336—10

8.7.11

Seen directed to invite
yr attn to paras 3 & 4 of
No 497 / mur: 42—92 of
11.8.03 about the alienation
of certain property & the
Sultan's mosque & to
request that the detailed
report called for may be
submitted early.

Made
Dy AS
for Asst

Print Members order
draft
on the Answers to the
interpellations by Mr Abdul
Kalam - re Sultan Ali Mosque

"A peremptory call
for explanation should
be addressed to the Dep't
"Cmr with reference
"to the delay noticed in
"Answer to Q II (b)"

Dy RSC
15/8/11

10 as the file has been
~~lost~~ put up in cm with
the interpellation sheet &
the Chief Secrett a copy
of the original cm to the
Dy Cmr has been appended
for ready reference

NB Should routine notes be written on small slips the notes must be copied or slips pasted on this form.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

A draft rem^r calling for the Expls of the Officers concerned is subd for approval.

RB
15/3/19

RB.
15/3/19.

Secy)

A clean draft of Admty Cir^r as read on a draft D.O. letter to the same effect are subd for appl as directed by the Secy on the original draft

RB
17.3.19

RB
17/3/19.

Secy)

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

8-2 - RO 1853 & 18.3.19. With Dft Cir^r Bowyer D. Requests immediate steps being taken to secure the reports called for in Min. with Expls pending

18.3.19 Calls for reports

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Letter No. A-e/27/Secy 9167
dated 24th

N. B.—Should routine notes be written on small slips, the notes must be copied or slips pasted on this form.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

General and Revenue Secretariat.

File No. 33/S of 19 H+L

Serial No.

H.C.

Chroo—

38 Paper H.Z is a bundle of documents filed by the Sir Khaja Nazimuddin & Co

37 On these documents, the present representation of the Nizam Khaja — does not appear to be lawful —

36 The decision of the S.D.C (H.M) is examinable in all points, raised in the C.C of 1903.

39 (Illegible) 25.8.20

40 Let the Sir Khaja Nazimuddin Case be sent for. HJ 28/8/20

41 H/S-Submit. 28/8/20 30/8/20

Note—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

C.

~~Reference is also requested~~
~~The matter came~~

U/S The question of the alienation of the properties came up before the Govt in 1900; the Dr. in para 22 of his letter dy 19.4.00. has explained the facts of the Case --

mis management

H 7

U/S A further investigation of the question was ordered in Govt Proc No. 497 dy 21-8-03 The Dr has now subt. the report of the S.D.O of Doddaballapur -- with his own proposals ~~to~~ for ~~separating~~ the better Management of the Mosque & its properties --

U/S The Khazi still claims the properties as his own. - For Orders

NOTE—Contn. sheet.

5

15/4/20

Before the ~~Secretary~~ Assistant
Muzrai ~~Dept~~

Deposition of Mr Abdul Razak
Sheriff, Sri Khazi Sahiba, Bangalore
By [illegible] 20

Re certain exhibits filed in
the case relating to certain
properties alleged to have been
attached by subsequent mosque

Exhibits
A & B. } Mustafa Sheriff. is my grand-
father's brothers and was a
Police Inspector, and had absolutely
nothing to do either with the Khazi's
or mosque.

do — C Abdul Aziz Sheriff. is my uncle
and was in Govt Service, and
has nothing to do with the mosque
or the Khazi Shipp.

do — D — Ahmedulla Sheriff. is my uncle
and was for some time officiating
as Khazi during my minority.

[His decision to the municipality
is dated 2 — 8 — [illegible] which is

G.O. dd 11-2-1899, he was appointed as officiating Khazi, and was relieved of his duties under G.O. dd 9-2-01 as he had several other engagements to attend to.

Nazeer Mr Sheriff — who is my maternal mother's brother and had nothing to do with the Khaziship or the institution in question. Exhibit E, F & G.

As regards his plan to the municipality for the construction of shops on mosque ground, a kind perusal of his previous Representation before Mr R. P. Puttanna Chetty pleading utter ignorance of the plan and petitions, and stating that these were his father's private papers, is earnestly solicited.

Abdur Razzak Sheriff
Sar Khazi

21 0.11.20

G. R. S. III-2]

General and Revenue Secretariat.

Emigration File No. 336 of 1920

Serial No.	
51	
52	
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51 I forbade to Mr Abbas Khan to come here this day to explain certain facts. He writes that he is unable to come before Saturday next.
11-7-12-20

52 Mr Abbas Khan has not come today
11-13-12-20

53 Mr Abbas Khan appeared this day and said he would send the information required shortly. Wait for it
11-16-12-20
AMT 16/12

54 A.V. 16/12 AMT 5-1-21

55 Remind Mr Abbas Khan
11-5-1-21
AMT 5-1-21

56 Rec. Reminder sent
11-1-21
Rd 11/1/21

57 5/1/21

Joseph

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. 3 of 19

Serial No.

Mr. Abbas Khan has not sent in his reply as yet. The case is fixed for orders

Mr. Abbas Khan has promised to send his note in the case on 15th Dec. 21 and was reminded twice. In the 2nd reminder noticed that he was asked to send it up before the End of Feb. 21. He has not replied yet.

2/3/21.

Wait for written [illegible]
2/3/21

Note.

From, Muhammad Abbas Khan.
Application dt 10.3.21.
States that with the exception of the mosque and a building attached to it wherein the Khazi is living, all the other properties, notes in his details mentioned, have to be returned, and enclosed a copy of sanctioned grant.

Note—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. 356 of 1920

Serial No.

to Khazi. Mr Sheriff in the year 1805, and adds that in paras 2 and 3 of Sanad, it is stated that whenever repairs are found necessary, the Amildar will have to carry them out keeping the mosque in good order.

b Submit for orders

11.3.1921 - Mr. Abbas Khan has sent in his memo which does not seem to prove anything. He files a list of shops and houses which stand in the name of the previous Khazis, which fact does not prove that the properties belong to the mosque. The copy of the Sanad produced simply says that the duties of the Khazi and [illegible] that if the mosque gets out of repairs it should be repaired by the Amildar. Mr. Abbas Khan requests that all other properties except the mosque & the Khazi's residence, all [illegible] may be resumed by Govt. - No reason is adduced for this step.

The mosque is not a muzrai institution

RG 11/3

Submit to Govt

11.3.21

(2)

This is a complaint by the Central Mahomedan Association, Bangalore, about the management of the Sultanpet Mosque. The question has been pending for a number of years.

2. The Deputy Commissioner reports that 7 houses and 15 shops have been built on the Masjid site and rented out to various shop-keepers, that these shabby buildings should be resumed and neat shops erected either by the Khazi or his relations or by Mr. Abdus Khan (on behalf of the Central Mahomedan Association) and that a Committee of Dharmadharsis should be appointed for the better management of the Mosque and its properties.

3. The first question is whether Government have jurisdiction to interfere in the affairs of the Mosque and this depends in the first instance upon whether it is a Muzrai institution. The Mosque enjoys neither a cash grant nor a land grant and it is not under the charge & management of Government. It is consequently not a Muzrai institution as this term is defined in Sub-Section 1, Section 2 of the Muzrai Regulation. It is urged that there is a sunnad under which the repairs to this Mosque devolve upon the Bangalore Amildar. There is nothing in the Sannad to show that it relates to the Mosque in question. Nor is there anything to show that the Mosque was ever repaired by the Amildar. Further the mere execution of repairs by the Amildar, even if true cannot convert a ~~xxxxxx~~ non-Muzrai

into a Muzrai Institution. If the Amildar repairs a building, in the uninterrupted possession of another, Government will not acquire a right to it by the execution of such repairs. Out of the State Grant of Rs.10,000/-, Contributions are sometimes made for the repairs of non-Muzrai Institutions and these do not lose their character and get transformed into Muzrai Institutions by the mere acceptance of such -- help. The definition of "Muzrai Institutions" does not say that it comprises every institution repaired by the Amildar. If the Mosque had been a Muzrai Institution, Government would in the usual course have sanctioned its repairs on several occasions in the past, but there is no evidence that the repairs were sanctioned --- even once during all these long years. It seems to me therefore that the Mosque is not a Muzrai Institution.

67 Nevertheless such an institution may be taken under Government management if the creator of the trust or the trustees or the persons in possession voluntarily make over the management or when the trustees expire or disclaim, as provided by -- Section 5 of the Muzrai Regulation but --- none of these conditions exists in the present case.

68 And under Section 9 of the same -- Regulation a non-Muzrai Institution may be taken under Government management if there has been gross and persistent mismanagement of the institution or of any propert

24

pertaining thereto, etc. It is urged -- that ~~x~~ portions of the Masjid compound (or Masjid site) have been alienated to -- various persons and that this constitutes gross mismanagement.

6. In Government Order No.497/M.F.42-92 dated the 1st August 1905, Government - called for a detailed report on the follow ing points:-

Exhs A

(1) What are all the properties belonging to the Masjid?

(2) In whose names have they been -- settled at the Inam settlement.

The answers of the Sub-Division Officer on these points are -- as follows:--

Exhs M
Para 12 of the report

"A reference to the extracts.....etc., will show that we have no direct evidence to show when and what extent of land was granted for the construction of the Sultan-pet Mosque, nor when it was constructed and by whom.

7. It is not therefore possible to say that the shops and buildings were built -- out of the revenues realized from Mosque -- properties."

Extracts from S.D.O's report

Exhs M
Paras 15, 92

8. "As regards the second question, viz. in whose names have the Mosque properties been settled at the Inam settlemth, there is no direct reference as to what the --- Mosque properties are."

9. There is thus absolutely no documentary evidence to show that the Masjid was endowed with the lands in question. ~~It was said that several occupants~~ It is said that several occupants of these shops

14

25

or houses presented petitions to the Municipality praying for the remission of the taxes thereon on the ground that they belonged to the Masjid but there is no finding that such admissions were made by persons through whom the present Khazi has derived his title. An admission does not convey title and if the petitioners referred to above were the real owners of the buildings in question, their admissions, in the absence of anything else, have not got the effect of conveying a title to the Mosque. And much value cannot be attached to statements made by them with a view to get a remission of the tax imposed on the buildings. It has not been stated in which years the alienations were made or by whom. If the alienations had been recently made, an enquiry might possibly be undertaken, but there is nothing to show that they have been recent. In the absence of clear proof that the sites belonged to the Masjid and that they have been alienated by the present Khazi or the persons through whom he has derived his title, it cannot be held that there has been mismanagement or that the Khazi is the cause of it.

75 I do not think that the interference of Government is called for.

76 I believe that there are two factions among Mahomedans in Bangalore City and that while the Khazi belongs to one faction, the Central Mahomedan Association belongs to the other.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 2846 of 1920

Serial No.

Draft for Notification

Revised draft

5241-252.
12.4.21.

29

G. R. S. VI—G/32]

SUBJECT Calls for explanation of the Revenue Officers for the delay in submitting report on the alienation of certain lands of the Sultan's Estate

Diary No. of letter replied to

Section
File No.
Serial No.

GENERAL AND REVENUE SECRETARIAT,
( )
, the 191

No. 2833

Date of issue 18.3.1949

To

The Dep^y Com^r
Bangalore D^t

Signed by ~~Chief Secretary~~
S. Ramakrishnan
Dep^y Sec^y

Sir,

I am directed to invite your kind reference to this office letter no. 1740/mun 336 dated the 7th Jan^y 1941 and subsequent reminders calling for the early submission of detailed report about the Alienation of certain properties belonging to the Sultan's Est^e

over.

Mosque Bungalow &c., and to state
that you had x reply on one of
the items was to the effect that the
matter was pending with the Sub'dl Officer
of the Dottallapur Sub'n, and that
he had been written to forward my
the papers without further delay.
Nothing further has however been
heard on the subject. I am to
observe that it is a matter of
great regret that such an inordinate
delay should have been allowed
to occur in the disposal of a matter
of Public importance which was raised
in ~~1910~~ 1900 & on which a report was
definitely called for by Govt. in their
order No. 497 / Misc 42-02 of 21-8-03
and to request that you will be so
good as to take immediate steps
to send up a final report without further
loss of time together with an
explanation for the
long delay.

I have &c

17.3.04.

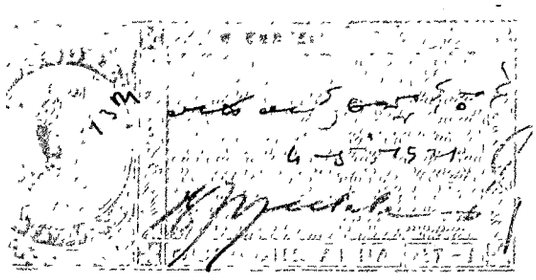
x No. C 271 Pub-07
dt. 15/17.12.07

List of enclosure

Copied by

Examined by

WD 86—GPB—60,0(



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ACCTS(CS)
With an 8 anna stamp

P. 1699
dom 6-5-91

The Deputy Commissioner,

B A N G A L O R E.

Petitioner.	Respondent.
Secretary, Central Mohomedan Association by Mohomed Abbaskhan.	Khazi of Bangalore.

Muzrai case No. 1 of 1898-99 on the file of the Deputy Commissioner Bangalore.

Application of the petitioner.

The petitioner begs that he may be favoured with an authenticated copy of final orders passed by Government in the above case.

Bangalore,
4th May 1921.

3/

MUZRAI SECRETARIAT,

Dated Bangalore, 18th March 1919.

D.O.No. 2834
Abstract 336-10-3

My dear Sir,

Kindly refer to Muzrai Secretary's letter No. 2833 dated the 18th March 1919, calling for a report on the alienation of the properties belonging to the Sultanpet Mosque, Bangalore City. An interpellation complaining of the inordinate delay in disposing of this case has been asked by a Member of the Legislative Council and the matter will come up for reply at the meeting to be held on the 24th instant. As there has been ~~an~~ a reprehensible delay in the disposal of the case, the Member (Mr.Chandrasekhara Iyer) wishes to know when the report called for may be expected.

An early reply will oblige.

Yours sincerely,

Y G A
19-8-19.

~~Report of~~ An interpellation complaining of the unreasonable delay in disposing of this ~~case~~ matter has been ~~asked~~ by a member of the Legislative Council ~~to be held on the~~ during the meeting of the house with the request that ~~I~~ the Government ~~would~~ be prepared to state when the report may be expected.

As there has been a reprehensible delay in the disposal of the case (Mrs Chiquedasilva) the Members wishes to know when the report may be called for, maybe expected before the sitting of the assembly

I would be so good as to intimate to me the probable date when the report called for therein may be expected.

Yours truly
Sd
17-3-19

Sd
17/3/19.

Sd
17/3/19

List of enclosure

Copied by

Examined by

WD 86—GPB—60,000—15 11 16

D. 1625
08 19
mur

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

336-10
4

D. O. No. A.C. 231 of 16-17. 34

Deputy Commissioner's Office,
Dated Bangalore, 18th March'19.

Dear Sir,

With reference to your D.O.letter No.2834/ Muz.336-10-3 re - the report on the alienation of the properties belonging to the Sultanpete Mosque, Bangalore City, I write to inform you that the records have been sent to the Sub-Division Officer of Dodballapur with this office No.A.C.231/Secy. of 16-17 dated 9th August 1918 for completing the enquiry and report. He has this day been written to submit the report within a fortnight from this date and on receipt of it, the report called for by Government will be submitted.

2. It may be added that the records were at first sent to Mr.Hassan Ali and then to Mr.Taj Peeran for completing the enquiry. But as these officers after some time sent back the records after partially completing necessary enquiry, there has been delay.

Yours Sincerely,

To

G.Aravamudu Iyengar, Esq.,B.A.,B.L.,
Joint Secretary to Govt.Muzrai Dept.

N.B – Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

35

Office of the Deputy Commissioner,
Bangalore District.

No. A.C 271 of 16-17 Secy

Dated Bangalore, 22nd March 1919.

From

P.F. Bowring, Esq.,
Deputy Commissioner,
Bangalore District.

35

To

G.Aravamudu Iyengar, Esq., B.A., B.L.,
Joint Secretary to the Government of Mysore,
Muzrai Department.

Sir,

With reference to your No.2383 Muz.336-10-2 of 18th March 1919, re - the report on the alienation of the properties belonging to the Sultanpete Mosque, Bangalore City, I have the honor to state that the records were as already mentioned in my D.O. dated 18th instant, in the first instance sent to Mr.Hassan Ali and then to Mr.Taj Peeran for enquiry. But as these officers after some time returned the records without completing the necessary enquiry, the Dodballapur Subvision officer was in this office No.A.C.271/Secy. of 1916-17 dated August 1918 requested to do so, and submit the report. He has been written, to complete the enquiry within a fortnight from this date on receipt of his report, the same will be submitted.

I have the honor to be,
Sir,
Your most obedient servant.

Deputy Commissioner,
Bangalore District.

P.V.

1692

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356 to
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From

The Deputy Commr.
Bangalore Distt

To

The Joint Secretary
to Govt.
Revenue Dept.

Dated 22nd March 1919

Despatched 24 — 3 —

Received

General No. A.C. 271 of 19-
No. Secy

Enclosure No.

Re the report on
alienation of the pr
belonging to the Sul
Bangalore, Bangalor
states that the rec
in the first instan
sent to her. Thence
& then to her Sanj Pers
for enquiry and
receipt of their rep
will be submitted

— 3 —

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68612 191 7

From The Deputy Commissioner Bangalore Dt

To The Joint-Secretary to Govt. Irrigation Dept. Bangalore

Dated 2-8-19 Bangalore

Despatched — —

Received MAY 1919

General No. Ac. 271 / Ho 9/16-17

No.

Enclosure No. One

Re the alienation of certain properties belonging to the Mosque at Ulsoor Bangalore City

GPB—5,76,000—6-4-12

Office of the Deputy Commissioner,
Bangalore District.

No. A.C. 271 of 16-19
From H.O.

Dated Bangalore, 28th April 19.

P.F.Bowring, Esq.,
Deputy Commissioner,
Bangalore District.

To

G.Aravamudu Iyengar, Esq., B.A., B.L.,
Joint Secretary to the Government of Mysore,
Muzrai Department, Bangalore.

Sir,

With reference to your D.O.No.3292/Muz.336-10 of 16/17th April 1919 and in continuation of this office No.A.C.271/Secy,dated 22nd March 1919, re - the alienation of certain properties belonging to the Mosque, at Sultanpet, Bangalore City, I have the honor to forward herewith for favour of information a copy of letter No.C.H.4 of 1918-19, dated 24th April 1919, received from the Dodballapur Sub-Division officer, stating that there are about 21 shops and houses, all built upon the land belonging to the mosque and alienated to others by the Khaji and his family members, and that the Khaji Sahib says that the mosque is his personal property but that the petitioners say that it is public property entrusted to the care of Khaji. He further adds that, in order to ascertain whether the property is the Khaji's, or is only kept in trust by him, he has posted the case for hearing to the 26th instant and that he would submit a final report, in the matter, before the end of may.1919.

I have the honor to be,
Sir,
Your most obedient servant,

P. Narayanan

For Deputy Commissioner,
Bangalore District.

3727

Letter No.C.H. 4 of 1918-19 dated 24th April 1919, from the Sub-Division officer, Dodballapur Sub-Division, to the Deputy Commissioner, Bangalore District.

With reference to your letter No.C.271/H.O. of 1916-17 dated the 27th March 1919, regarding the affairs of Sultanpet Mosque, Bangalore, I have the honor to report that on going through the records, and enquiring Mr.Abbas Khan, the Secretary of the Central Mahomedan Association, I see a report is due to Government(1) as to how the present Khaji is working,(2) about the alienation of properties belonging to the Mosque, (3)as to how the compensation amount awarded for the burial ground was disposed of.

2. As regards the first question, Mr.Mahomed Abbas Khan told me, that the community had now no complaints against the work of the present Khaji Sahib.

3. With reference to the 3rd point he told me that the amount was utilized for effecting improvements to the new burial ground and that there was no complaint about it also. The details on this point will be ascertained and reported.

4. It is only, regarding the alienation of properties that elaborate enquiries have to be made.

5. There are about 21 shops and houses all built upon Mosque land, and alienated to others by the Khaji and his family members These have been subsequently alienated from hand to hand etc.

6. The Khaji Sahib says that the Mosque is his personal property. But the complainants say that it is all public property entrusted to the care of the Khaji.

7. Now, it is to be ascertained, (1) whether the properties are Khaji's personal ones, or trust properties, (2)who the present owners of the several shops and houses are, (3) how they got possession of the same, (4)and why they should not be evicted from the buildings.

To do this, I have posted the case to the 26th instant, and have asked the Amildar of Bangalore Taluk to ascertain the names

names of the present owners of the properties etc., within the limits of the Mosque, and I have deputed my Maramat overseer, to prepare a correct plan showing in detail, all the buildings, existing at present on the site belonging to the Mosque.

8. I am only adjourning the case to the nearest dates possible, and am trying my best to complete the enquiry as early as possible. I shall send up my report before the end of May next.

"C O P Y"

For Deputy Commissioner,
Bangalore District.

L.S.R.
1.

355

20 21
Mer
33610
7

From The Dep. of Commerce.

To Bangalore Dr.

The Secretary to Govt
Municipal Dept.

Dated

Despatched 8/12 Bangalore

Received

General No. Ag 271 Secy
No. 16.17

Enclosure No. One big file
(Secy's report)

Submits the enclosed file of records together with a report re: the alienation of certain properties belonging to the Sultanpet ward Bangalore City

39

Office of the Deputy Commissioner,

Bangalore District,

No. Ac 271/16-17 Dated Bangalore, 11th August 1930.

From

M.A.Narayana Iyengar, Esq., B.A., B.L.,

Deputy Commissioner.

Bangalore District.

To

T.F.Jayarama Iyer, Esq., B.A., B.L.

Secretary to the Government of His Highness

the Maharaja of Mysore Muzrai Department,

Bangalore.

Sir,

With reference to your letter No.1740/Mus.330-10 dated 7th January 1911 calling for a report re the alienation of certain properties belonging to the Sultanpet Mosque, Bangalore City, I have the honor to state that the Sub-Division Officer, Doaballapur, reports that the mosque is a public property, that it was repaired once at Government cost(Vide Sannad copy dated 27th December 1808) and that the Khaji is being paid by Government an annual grant of Rs.180-12-0.

2. The boundaries of the mosque seem to be established as per margin.

North --- Baneswara temple,
East --- Arcot Srinivasachar's Street,
South --- Sultanpet Road,
West --- Conservancy lane.

3. Within the compound of mosque there would appear to have been, at one time, only two buildings, viz. mosque proper and a musafirkhana. Since the year 1869-70, however, the relatives of the Khaji Sahib began to build shops, upon mosque ground and rent them out, as if they were private property.

4. It is reported that there are now about 7 houses and 13 shops in the temporary possession of several shop keepers, who seem to have taken the for rent from the Khaj Saheb's relatives, on payment of certain advances as detailed in the appended list. Most of these shop keepers, it is explained, are ready to vacate them on payment of the amounts advanced by them.

5 Being an important mosque situated in the heart of the City, it is

is necessary to resume these shabby buildings and keep the place neat and tiddy. Either the Khaji or his relations should be upon called upon to redeem them, or Mr.Abbas Khan, who has undertaken to place a large sum for the purpose of resumption and construction of new and tidy shops, on the mosque land, be requested to do so.

6. As regards the amount paid as compensation on account of the Mahommedan burial ground taken up by Government, the question seems to have been finally disposed of by Government in their No. 9193-5/M1.465-06-6 dated 13th April 1910, accepting the expenditure for the compound wall and a fountain in the new Kabarastan.

7. As regards the last point noticed in your letter, I am of the opinion that it is necessary to constitute a committee of Dharmadarsis for the better management of the mosque and its properties.

8. The Sub-Division Officer's report and the records of enquiry are herewith submitted for reference.

I have the honor to be,

Sir,

Your most obedient servant.

L. Narayana

for Deputy Commissioner,
Bangalore District.

(Absent from the station.)

I.S.R.

41

A.C. 271 of 16-17

Office of the Assistant Commissioner

Dodballapur Sub Division

Dated Bangalore the 20th April 1920

From

A.Krishnaswami Iyengar Esq B.A.,

Assistant Commissioner,

Dodballapur Sub Division.

G 3698
18-5-20

To

C.Aravamudu Iyenger Esq B.A.,B.L.,

Deputy Commissioner,

Bangalore District.

18.5.20
Accts (C.S.)
With bundle of
enclosures.
Rec'd

Dated

Despatched 8-5-20

Received

General o. CH 49 '8 14

Enclosures one bundle containing 6 files

Received the Enclosures
18/5/20

Sir,

With reference to your communication No. 412 dated the 23rd January 1911 forwarding to the late Bangalore Sub Divisional Assistant Commissioner both the English and the Kannada records relating to the affairs of the Sultan-pet Mosque for enquiry and submission of a detailed report on the points raised in Govt: Order No 407/MUF 40-08 dated 20/21-8-08 and requesting to obtain and submit the explanation of the Bangalore ~~The Auditor~~ Police for not taking any action for 7 years upon the said Govt: Order communicated to him by the Deputy Commissioner in his No. 126 of 29-8-08, I have the honor to state. that while the matter was under enquiry, the Bangalore Sub Division Office having been abolished in June 1911, the Personal Assistant Comm who was also the Civil Officer was reque ted

42

to enquire into the matter and submit the report in Deputy Commissioner's Memo dated 23-10-11. While that officer was enquiring into the case the counter petitioners applied for a transfer of the same to some other Assistant Commissioner on the ground that Mr Hasan Ali who was the Personal Assistant and Civil Officer was a sympathiser of the Anjuman Association of which the complainant Mr. Abbaskhan was the Secretary. Therefore the case was transferred to this Sub Division with the Deputy Commissioner's No.387 of 29-5-1913.

2 Again the case was transferred to the Civil Officer as per Deputy Commissioners No C 271/16-17 dated 3-5-18 as Mr Syed Taj Peeran, the then Sub Division Officer, who was a member of the Mahamadan Association proposed its transf from him in his No. 999 of 10-5-1918.

3 But after the transfer of the case Mr.Hasan Ali came again as Civil Officer and asked in his No.271 of 5-8-18 for its transfer to some other officer. And finally this case came to this office on 10-8-18 vide C 271/16-17 dated 6-8-18. The case was being adjourned now and then owing to the absence of parties etc. After I came here I took up the case and closed it on 3-2-20. This explains the delay.

4 After examining (1) Fakruddin Sahib (2) Ahamad Hussain (3) Syed Ahamad for the complainants, Abdul Razack Sheriff Sahib Sir Khaji was examined for the defendant. These were the only witnesses, the parties finally wanted to be examined. The first party or the complainants did not produce any documentary evidence but simply asked the perusal of certain exhibits filed in the case when before Mr.K.P.Puttanna Chetty(vide order sheet dated 12-8-18 and 26-4-19

43

On 23-9-16 the Defendants produced D1 to D14.

5 The Government Order of 20-8-03 No. 497 on the complaint of the Mahamadans of Bangalore regarding the irregularities of the acting Sir Khaji Sahib appointed Abdul Razak Sheriff as Sir Khaji Sahib and wanted a report by 1-7-04 as to how the young Khaji Sahib was dxi dding the duty. Mr.Abbaskhan who represents the petitioners and the complainants said on 2-8-19 before me (vide order sheet) that he did not wish to press about the competency of the young Khaji Sahib as he has been doing his duty satisfactorily from a long time ie since 1-7-02. There has been no complaint against him subsequently. The Amildar was also asked to report on it by the Deputy Commissioner in his No.126 dated 29-8-1903 and again he was asked to submit explanation for delay as 7 years had since passed (vide No. 1254 dated 27-1-11)to the Amildar). He pleaded plague, and confusion in shifting his office etc. The xxxxrecord was then transferred as stated above to the Assistant Commissioner for enquiry. After reminding the Amildar reported on 15-12-19 in No.1710, that his enquiry showed that the Khaji Sahib has been doing his duty properly, but that his opponents are not permitted by him to go the Masjid. This latter procedure seems to be unwarranted.

6 The same Government Order of 20-8-03 referring to Mr. K.P.Puttanna Chetty's report No. 1013 dated 19-4-19 directed the investigation into the alienation of the Mosque properties, if not already investgated and to submit a detailed report on the 7 following points:-

(1) What are all the properties belonging to the Masjid?

(2) In whose names have they been settled at the Inam Settlement?

(3) In whose possession are they now?

(4) How are they sequestrated?

(5) What about the amount of Rs 8000 or so, said to have bee paid as compensation on account of the Mahamadan Burrial Ground taken up by Government?

(6) Was the amount paid? Who received it? Where is it lodged now?

(7) Definite proposals regarding the better management of the Masjid and its properties and the constitution of a committee if needful.

7 Mr. K.P.Puttanna Chetty has made a thorough enquiry on the subject, vide his report submitted with letter No.D 1013 dated 17-4-1900 As regards any additional evidence that may be required on the subject the parties were asked about it. The first party examined 3 persons viz (1) Fakruddin Sahib aged 83 or 84 years who gives the boundary of the Mosque as in the margin. (2) Ahamad Hussain aged 65 to 66 years who speaks to the existence of the Musafarkahna in the Mosque Compound and of its non-existence now and (3) Syed Ahamad aged 70 years who also gives the boundary of the Mosque, the existence of the Musafarkahna etc in it.

East. Arcot Srinivasachar's Street.

West. A lane

North. A temple and a lane

South Sultanpet Street.

8 The Khaji Sahib was examined by the court. He says that the Mosque is his private property and that the properties around the mosque belonged to the persons who owned them and that he was not getting anything from them.

9 Both the parties referred to some exhibits (vide lists enclosed in this report) The Khaji Sahib produced exhibits D1 to D14 and both parties produced references regardin

45

mosques being public or private properties (vide exihibits I and II)

The first party relying on exhibit I Hidaya or guide on the Musalman laws by Charles Hamilton 1870 A.D. page 239 and the IInd party ie the Khaji Sahib on exhibit II, the same hidaya page 355.

10 Now we have to decide first what is a mosque and then to proceed to know what are the properties belonging to it. I think that a mosque is a public place for ahomedan gentlemen to offer their prayers and the Khaji or Sir Khaji is the Officiator to help them in the same.

11 Mosque being a public place of prayer is a public property, whether constructed by Government or by a private person or even by the Khaji himself. Thus the Government can interfere in the management of its affairs ever though it may be the mosque constructed by the Khaji Sahib vide Government Order No.906 dated 28-8-08 re the affairs of Jangam Mutt at Kamul Pet Bangalore City, and those referred to there in viz Govt: Order No.1719-27 dated 24-2-03 Govt: Pro: No.53 dated 11-7-1885, and the late Chief Commissioner's Pro: No.3033-42/Rev544 dated 26-9-1879 according to which the Govt: has a right to interfere in the affairs of an institution belonging to the general public although it is not a Muzrai Institution.

12 As regards the 7 queries of the Govt: Order (1) A reference to the exhibits, statements of witnesses and the papers filed by the parties in the case before Mr.K.P.Puttanna Chetty and here will show that we have no direct evidence to show when and what extent of land was granted for the construction of the Sultan

46 ~~Not~~ Mosque nor when it was con tructed and by whom. The only reference available is an order said to be saying, Amildar will have it repaired at the cost of Government (vide exhibit ~~47~~ H 5 Copy now produced & marked (4) in III

13 For a l ng time there were in the mosque Compound only the mosque and the musafarkhana wherein the said Khaji Sahib says he used to sit to dispense with the justice on complaints, but which the people say it was used as a halting place when people came for offering prayers. The facts mentioned in the numerous applications of the relations of the Khaji Sahib for constructing shops on the mosque site clearly establish that the sites applied for belonged to the mosque only or else they would not have committed themselves in that way. Therefore they were not the sites belonging to private parties as alleged by the Khaji Sahib as they themselves did not claim it then, neither he nor his relations have proved how they got the sites privately. The persons in actual possession of the shops and houses around the mosque and its site were given notices. They appeared before me and gave statements on 3-2-20 to the effect that they had no proprietory right over the properties, that the shops and houses had been given to them for monthly rents by the relations of the Khaji Sahib and that they were paying the rents to their respective land lords. They also said that they had no objection to give up the bulidings whenever required, provided the amounts advanced by them were returned. These statements show that the Khaji Sahib and his relations divided the properties among themselves as if they were thei own, and were getting rents from them, and applying them for their private use. They have

47

have sold or made gift of a few buildings of the mosque ground, but these are to their own relations only and no stranger has purchased any of them, thus showing they are careful of their being mosque property. The sites must have been given or should be presumed to have been given to the mosque only when constructed. If not the Khaji Sahibs relations would not have created new rights in favor of this mosque by saying they wanted to build shops on the mosque site and that mohatarfa should be reduced as it was mosque property and that procceds were being used for the mosque only (vide exhibits A,B,C,and D) The site belonging to it might safely be said to be what it is bounded by the Sultan Pet Road in the south and Arcot Srinivasa char street in the east and by conservancy lane in the west and the Baneswara temple in the north.

D

14 When the old Khaji Sahib was perhaps infirm or with his connivance only and when the present Khaji Sahib was a minor, their relations seem to have taken upon themselves the liberty to construct the shops on the mosque site, some on the plea they were for the benefit of the institution etc and the first shop came into existence in 1869-70, and a number of shops rose in succession afterwards, all no doubt on mosque site only. (vide exhibit k(a), k(b), L(a)(b) and the admission of acting Khaji Ahemedalla Sheriff before K.P.Puttanna Chetty, recorded by him in his memo page 16 (sent with letter No dated 17-4-1900)

B

15 Now we have to f

48

the buildings or the constructions over the site also belong to the mosque. Excepting the grant of Rs 180-12-0 per year by Government to Khaji Sahib for doing Khaji service no Inam land seems to have been granted (vide exhibits D12 and D13) The allegation of the first party that there were other sources of revenue to the mosque, out of which these shops were constructed is not proved. Perhaps the Khaji Sahib was getting some grain by the cultivation of the kabarastan lands but as he was in charge of it he was entitled to it. After the construction of the shops some rent seems to have been realize But those relations of the Khaji Sahib who built them seem to have been enjoying the little profit they got from them. There is nothing to show that the Khaji Sahib got them. It is not therefore possible to say that the shops and bulidings were built out of the revenue realized from mosque properties. In fact the mosque had no other buildings except the musaferkhana close by it for a long time. As the mosque should now have its compound and as it is the important mosque in the Bangalore City, the site will have to be cleared of the present shabby buildings. It is the trust property belonging to the Muzrai Institution. The Khaji Sahib's allegations, that his pay paid by Government is not on account of the mosque but that it was personal, is untenable It is for offering prayers here he is paid the amount. He has no other place of prayer. He must be made to repay those who have advanced some money and to keep the place clear of all the dir buildings or as Mr Abbaskhan has said (vide petition dated 10-9-10) that he would place a large amount for the purpose of acquisition new constructions; he should be asked to

491

now. However Government will have to resume the shops etc and keep the place tidy as it is the only big place of prayer for the Mohamadans of Bangalore.

(Q2) As regards the 2nd question viz in whose names have the mosque properties been settled at the Inam Settlement, I have to say that there is no direct reference as to what the mosque properties are. The above mentioned facts give the required information that is available.

(Queries 3and4) As to the possession of shops a list is submitted vide also Amildar's report No. 1710 dated 15-12-19 and the list prepared by the Sub-Overseer. They are all in temporary possession(vide documents) On payment of their amount they are all ready to vacate them. Either the Khaji Sahib and his relations should be made to pay it and redeem them or Amir Abbas khan should pay it as he undertook to do so. The buildings will have to be resumed.

(5and6) As regards questions 5 and 6 about the amount of Rs 8000 and odd paid as compensation on account of the Mahamadan Burrial ground taken up by Government, a reference is invited to Government Order No, 9192-5/M1(465-08)-6 dated 13-4-1910, accerting its expenditure for the compound wall and a fountain in the new Kabarastan. The question seems to have been finally disposed of.

(7) The last question is regarding the better management of the masjid and its ~~property~~ properties, the khaji Sahib's own evidence clearly shows that he is not allowing the fi party to go to this mosque for offering p

50 Being a Sarkar Masjid and the Khaji Sahib also being paid by the Government, he had no business to behave as it pleased him. The constitution of a committee is therefore very necessary to see to this and to the settlement of the questior of resumption, and of payment and of future ~~managgement~~ management,

These will have to be elected or nominated after consulting both parties.

I have the honor to be,

Sir,

Your most obedient servant

Assistant Commissioner

Dodballapur Sub Division.

20/4/20

P.S.I.

2

F 57

List of Exhibits in the file and referred to by the 1st Party.

(A) Petition from Mustafa Sheriff to the president of the Bangalore City Municipality dated 8-4-1897, stating that Mandi No 21 in Sultanpet is part of mosque, adjoining it, granted by Gogvernment as Inam Jahgir and asking for reduction of increased assessment.

(B) Petition from Do dated 13-3-1890, to Do, saying that Mandi No 28 is the property of the mosque in his possession and asking as he does duty in the mosque for reduction of increased assessment.

(c) Petition from Abdul Aziz Sheriff to MUnicipal Offfce dated 2-12-1885 saying shop no 74 belonged tothe Masjid and asking for reduction of increased assessment.

(D) Petition dated 2-8-1897, from Ahmedulla Sheriff to City Municipal Board saying shop No 78 belonging to their Makkan (ie mosque) and asking for reductin of assessment levied on two shops as they were only one in fact.

(E) Petition dated 12-8-1897 from Nazar Hussain to the President of the Municipal Board, saying that in NO 19 of Arcot Srinivaschars street in the maszid ground they were living separately and that their tax should be reduced.

(F) Petition dated 5-4-1897 from Do saying that tax on the shops Municipal Nos 17 and 18 in maszid ground should be reduced.

(G) Petition of Mahamed Syed Sheriff to the Vice President, Municipal Commission (dated 15-9-1885) saying house No 75 in Sultanpet is taxed as mandi and asking for reduction as it is a residential portion.

(H) Plan of site of mosque and shanbhogues municipal No.

(I) Plan of Ediga with measurement.

(J) Copy of Khaneshumari Kacha Karadu of 1836 saying that the mosque site was 117 Ankanams, Sarkar masjid, south of Baneswara temple, Govt one, old khaji Abis Sab died, his son Mahamed Jaffer Sab.

Its site= 9 Ankara Masjid, stone,

3 -do- Kaisale in front of it,
20-do- vacant site in front,

82- dp- Khajis house to north of it up to

street. To west of it Sivashunkara Bhattas house lane wall, house 14 Ankanas malige and 117= 9 Ankanam stone mantap, 108 malige and vacant site also.

(K) Extract of Khaneshumari Kammi Jasti takta of 1869-1870 showing that shop patta No 36 was newly erected in the masjid ground adjoining the road and so taxed Rs 2.

(L) Extract of Khaneshumari Kammi Jasti takta for 1871-72 saying that Khaji Sab refused to pay tax of Rs 2/- for the above No 36 and that Panpiah gives oil to the masjid and no rent paid to masjid.

(M) Petition dated 8-4-1885 from Nazar Hussin Sheriff to the Vice President submitting a plan of shops to be erected on the mosque ground extent 20X16, bounded on north by Mahamed Ibrahim Sheriffs shop, on the south and west by mosque compound, and on east by public road and asking for license to build. Vide President Mr.A.Sreenivasacharlus order dated 2-6-1885 refusing to give permission as the other Mahamaden objected and as aKaranji had to be constructed there etc.

(N) Bilimaggada Channaiyanapete - [illegible] stating Chowkada Masjid Musaferkhana near it. Behind it Musalman Khaji (not clear) and Jaffer Sab in Vishnudattas house etc.

(O) Copy of mortgage deed dated 11-2-1884 executed in favour of Krishanappa bin Venkappa by (1) Khaji Nazar HasseinSheriff son of Jaffer Sheriff and his two minor sons, (2)Usman Sheriff and (3) Kutbudin Sheriff (4) Abdul Wahab Maccie son of Mahamed Ibrahim Saib properties two shops, municipal Nos 17 and 18(i) bounded by road in east, Khaji Nazar Hussen Sheriffs house in west, a lane leading to the house of Khaji NazarxHusseinxSheriffs house Sab and Siva temple in north, Ibrahim Sheriffs shop in the south; malige 18 ankanas from two shops 17 and 18, (ii) Municipal No 140 house with 22 malage anaknas, well and vacant site measuring E & W= 45 feet north to south 49 feet in Ranasingpet. Both mortgaged for 135 + 15 = 150 Rs.

(P) Copy of agreement on eight anna stamp paper dated 1-7-1896 ie rent deed executed by Channarsya Setti son of Tirumal Setti in favour of Khaji Nazar Hussein Sheriff and his son Kutbudin SAB

for shop bounded by masjid latrine in east,mantap and shop in west,masjid vacant site in north, road on south.

(Q)Copy of agreement on one Rupee stamp paper dated 5-4-1896 executed by Nanjundappa son of Honnappa in favour of Khaji Nazar Hussein Sheriff and Syed Sibahtulla sab, his nephew taking 12 ankanam mud beneath shop for rent Door NO 18,showing it has maszid on side as boundary and saying ಹ "ಗೆ ಅಂಗಡಿ".

(R) Copy of agreement dated 27-1-87 by Khaji Mahamed Ibrahim Sheriff son of Jaffer Sheriff in favour of Timmappa,Door NO 19, 12 ankanas shop given for rent. Boundary on three sides mosque land and Hussein Sheriffs house in west,road on east,Khaji Abid Sheriffs mosque in the south,Nazar Hussen Sheriff's shop on north.

(S) Deed of gift dated 10-3-1893 by Khaji Ibrahim Sheriff,uncle of Kutbdin Sheriff to his daughter (Haji Bunnasa Bibi) and his grand son Sibaguttulla Sab,of Door NO 217=12 ankanas valued at Rs 300/- bounded by road on east Hussen Sheriff my brothers house in west Kutbdin Sahib's shop on north,masjid compound on the south.

(T) Sale deed dated 2-1-1893,by Khaji Mahamed Mustafa Sheriff to his wife Khyru Bibi for Mohar due to her,.

(a) Malige Mane 12 ankanas 18 X 22 feet and vacant site bounded by Hussain Sheriffs house in east,Abi Sheriffs house in west Nail Gouse Sahibs house in north and masjid in south.

(b) Shop mud roofed,Door NO21 road on east masjid compound on west and north and road to south.

(U) Copy of registered sale deed dated 30-5-1904,xx executed by Mahamed Syed Sheriff Shaib son of Khaji Hussain Sheriff Sahib in favour of Mahamed Kutubdin Sheriff son of Khaji Nazar Hussein Sheriff,of mud roofed house having 53 ankanas with Door NO 81 bounded on the east by masjid and its shop , to the west lane,on the north by Khaji Abi sahibs house,on the south by road together with the vacant site lying to the north-west of said building and apart of building measuring 42 feet by 22 feet which had been purchased by executant from Mohadin Pacha Sahib on 18-8-1884 for Rs 800/=.

(W) Copy of registerdd Mortgagee deed dated 27-3-1895 executed by

for Rs 500/- in favour of Lakshminarayana Swami Company Limited Mysore, house Door NO 75 shops and (2) a latrine measuring 6 X 42 feet bounded as follows:-

East masjid, west lane, North KhajaiHabid Sahibs house, South road.

(X) Copy of registered agreement of rent dated 3-11-1895 executed by Basppa son of Rajappa in favour of Kutubdin Sheriff son of Khaji Nazar Hussein Sheriff for mud roofed shop containing 18 Ankanas, Door NO 16 including the vacant site lying to the east of the same - boundaries on the east by road, West Kutubdin Sheriffs house, North lane South Mandi belonging to Shilu-gattulla Sab.

(Y) Copy of Registered agreement for rent dated 4-3-1898 executed by Basappa in favor of Kutbuddin Sherif Sab (relation of Khaji Sab) for shop door No 16 with front veranda. Boundaries East road. Khutbuddin Sab's house. North road. South mandi of Ibrahim Sheriff.

(Z) Copy of registered agreement of rent dated 12-1-1898 executed by Gangappa son of Puttanna in favor of Khaji Ahamadulla Sheriff son of Khaji Abid Sheriff for shop of 8 Ankanams door No 78 bounded on the east by shop of Masjid, west Davud Sabis shop. North open compound of Masjid. South road.

(Z2) Copy of registered sale deed dated 11-1-1896 executed by Mahomed Syed Sheriff in favor of (1) Sheik Davood Sab (2) Mahamad Isaac Sab (3) Mahamad Hayath Sab for (a) House door No 75 measuring 68 ft by 44 ft and containing 53 ankanams of terraced house (b) the vacant site of latrine lying to the west of this building and measuring 6ft by 42 ft and sold to him by Mohideen Pacha (c) a mud terraced building with its 5 shops and one door entrance measuring 47ft by 21 $\frac{1}{2}$ ft (This is a portion of the property self acquired by purchase by the executant on 19-8-1884.

Boumdaries to A and B

East Masjid, West lane, North Khaji Abdul house, South road.

(Z3) Copy of Mutchalika executed by Khaji Mahamed Abid Sheriff on 27-5-1864 before the Amildar saying that in accordance with oredr no 32 asking for report whether any of the shahar people are willing to put up a compound wall for Kabarastan out of the income of land east of Eedya given by Government, he (Mahamed Abid Sheriff) as Sir Khaji had taken the crops of the said land for for the Rudhirodgari would put up fence for Khabarstan and keep accounts for having done so and would spend the future income of the land for the same pur-pose and furnish accounts as well.

(Z4) Plan of the Mahameden burrial ground.

(Z5) Qualifications for Khaji-ship.

(Z6) Translation of Mutchalika executed by six Ghasels (who wash dead bodies) in favour of Sir Khaji binding themselves to perform certain services-.

(Z7) Notice calling for meeting of Mahamedans on Friday 11-8-1899 and for their opinion regarding the arrange-ment to be made for the construction of the proposed burial ground acquired. (sent to City Municipal Office in reply to NO 851 Dated 15-10-1912)

S.D.S

MK
20-4-1920

II

List of Exhibits in the file and referred to by the ~~2nd~~ IInd party, Khaji Sahib:-

(D1) Khaneshumari NO 29 of 1867-68. In Vishnudattas house, Musalman Savar Sabi. Khaneshumari NO 31 Khaji Sahib.

(D2) 1851 House
-------Vishnudattas, Maslman Jafer Sabi.
26

(D3) 1858 1858
------,------ In Vishnudattas house, Jafer Sabi and Khaji Sab
13 14
respectively.

(D4) 1863 1863
-------,------- ---DO---- -------DO-------
29 31

(D5) 1864 1864
-----,------ -----DO---- -------DO------
29 31

(D6) 1864
---------- ------DO------- -------DO------
29and31

(D7) 1852
-------Khaji Sab
14

(D8) 1855
-------- --DO--
14

(D9) 1857
------ --DO---
14

(D10) 1862
------Khaji Sab
G14245-petition NO 51

(D11) Eswara
----------Khaji Sab newly built and trading
35-36

(D12) Endorsement dated 24-6-1911 NO 1398 from Muzrai Superintendent stating on Khaji Sabs ~~application~~ application that ~~that~~ in the Register of Ready money Inams, there is no reference to any Khaji's masjid near Sultanpet (Belimaggadapet) nor is there a reference to any such institution in the register of Muzrai Institutions endowed with Inam lands.

(D13) Extrct from Inam Register dated 25-2-1876 NO1435 col 1 says According to ಖಾಜಿ ಅಬ್ದುಲ್ ಜಫರ್ ಸಾಹೇಬ ಅಬ್ದುಲ್ ಅಬಿದ್ ಸಾಹೇಬ) of 1840, Bangalore Khaji Mahamad Abid Jaffer Sab, both contain Genealogical ~~Genelogical~~ tree,. Col 2 says man doing duty now Khaji Abid Sheriff (grand son of 1 vide col 5)

Col ~~X~~ 10= RS 180-12-0 yearly or 15-10-7 monthly.

Cols 12and 13 say deduct Rs0-9-7 for Begur Khaji, net Rs15-1.

(D14) Abstract of orders showing boundaries of the masjid site and another site alleged to have been sold to the Khaji and to re

—co

recover from him cost of stamp paper for writing sale deed,
816 Ankanas.

S.B.S.
2

lik
20-4-20.

III

58

List of exhibits filed by the 1st party before Mr.K.P.Puttanna Chetty but taken back.

Vide (1) List in the file Pherist 78

(2)Statement of description of exhibits A to G and H1 to H12 Which is in the file.

(3) Receipt of Ahmedulla Sheriff in token of his having re received back the exhibits on 18-1-909.

(4) Copy of H5 in Mr Puttanna Chetty's file

S.D.S
2

20/4/1920.

59

DIARY No. 472

19/-19
SECTION
FILE No. SC RC
SERIAL NO.

To

P. Raghuvendra Rao., Esq., B. A. B. L.,

Member of Council,

BANGALORE.

Respected Sir,

I, the undersigned respectfully beg to bring the following few lines for your kind consideration and favourable orders.

I am the Sir Khazi of Bangalore City. I hear that records Sultanpet Masjid of Bangalore City has been submitted to Government for orders. As the Deputy Commissioner did not give me a hearing when the enquiry was made I was unable to bring real facts to the ki notice of the learned Deputy Commissioner.

Before final orders are passed from Government I respectfully be that a hearing be given to me.

For which act of kindness I shall ever pray.

I beg to remain,

Respected Sir,

your most obedient servant,

Bangalore,
21-8-1920

1173-172
21-8-20

To Messrs Secy
with compliments.
If the above is correct, the D.C. should hear the person & the circumstance before any orders are passed.
9, 8 20

Ref above
21/8/20

Reply subd. may the file be sent for the D.C. to return to this office with the request that the Qazi may be heard by him in person & appropriate orders passed after perusing all the papers & the cases produced by the Khazi & others & this subd. the papers for orders?
23 8 20

60

C.R. S. VI—G/32] A217

SUBJECT:—

Diary No. of letter replied to

Section Inam

File No. 336-10

Serial No. 9

GENERAL AND REVENUE SECRETARIAT,

( )

, the 191

No. 1268

Date of issue 6-10-20

Signed by Mr. Fra. Lyon

To

The Sheristadar of Inam

Settlement etc in Mysore,

Sir,

I am directed to

request that you will be

so good as to forward a copy

for reference A Copy

of the Inam Register

of Enfield Estimate

An annual Cash grant

of Rs. 180-12-0, under the Khazi

of Bangalore Taluk under K. D. No. 8 of Dt. 1-10-1876,

for meeting Khazi

Service au Bataillon 61

-tion

Dr Wmus Fechny.

1/10/20

62

Bangalore,
September 8, 1920.

To

The Secretary to the Govt. of
H.H. the Maharaja of Mysore,
Muzrai Department, Bangalore.

Respected Sir,

In obedience to your endorsement No.897/Muz. 336-10 dated 2nd instant, I beg to submit that the enquiry of the Khazi Masjid at Sultanpet was heard by the Sub Division Officer Mr.A.Krishnaswamy Iyengar. The case was adjourned more than a dozen times. The officer was not pleased to hear me nor did he take into full consideration the documentary evidence tendered by me. I requested the Deputy Commissioner to hear me on the merits of the case but my request was not complied with.

I respectfully beg to submit the following fact for consideration:-

1. That the Masjid is not endowed with any inam lands nor cash grant. I am only the Sir Khazi of Bangalore City with a pay of Rs.180-12-0 per annum for Khazi's service.

2. A copy of the endorsement No.1398 of 24th June 1911 issued from the Muzrai Superintendent informing that the Masjid is not a Muzrai institute is submitted.

3. A plan showing the situation of the Masjid is submitted for kind perusal.

4. In the enclosed inam settlement patta it is clearly stated it was granted to my grand-father the late Sir-Khazi Abid Sheriff Sahib in the year 1876

5. In the Municipal Patta issued in 1841 to the Sir Khazi Sahib it has been stated that the place marked in red pencil in the plan which is the place that I am residing was purchased at 4 annas per ankanam.

6. The properties referred to by Mr. Abbasaman in his representation belongs to different private parties and they are their own properties.

7. The position marked in blue pencil was the house of one Pattegar Vishnu Dhattu. The house was sold to one Jafer Sherif Saheb and his relatives have rented out the building. So it does not belong to the Masjid.

8. The portion marked in yellow pencil belongs to one Peishkar of Bangalore and it is his own property and his relatives have sold the building to one who is not related to the Ansari family. So this has no concern with the Masjid.

9. I once more beg to submit that the properties mentioned by Mr.Abbas Khan are all private properties and have no concern with the Masjid.

I therefore respectfully beg to add that the documents produced by me clearly show that the Masjid in question is a private institution and the properties in dispute belong to private parties and are unconcerned with the Masjid and that Government cannot exercise any right with regard to these properties and pray that orders may be issued accordingly.

I beg to remain,

Respected Sir,

Your most obedient servant,

Abdur Razzak Sheriff
Son of
Bombay

I am not producing any documents with this petition. All the documents referred to here are already in the file. As I have now produced my arguments I do not desire to be heard further nor see the case be sent back to deputy Commissioner.

Abdur Razzak
Sheriff
Son of

8.9.1920

64.

Office of the Superintendent,
Mysore Revenue Survey,
Dated, Bangalore 8th October 20.

No. 99
Encl

From D. K. Darashah, Esq., B.A.,
Superintendent of Revenue Survey
and Settlements in Mysore.

To T. E. Jayarama Aiyar, Esq., B.A., B.L.,
Secretary to the Government of H. H.
the Maharaja of Mysore,
Muzrai Department.

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20-21

5-11-20 Sir.

As requested in your letter No.1-48/Muz.
336-10
336-10-9, dated 2/4th October 1920, I have the honor
to forward herewith a copy the Inam Register re-
lating to the annual cash grant of Rs.180-12-0 to
the Khaji of Bangalore Town under Title Deed No.87,
dated 1-10-1876.

I have the honor to be,
Sir,
Your most obedient servant,

Superintendent.

65

Register Sheet No. 258

Taluk. Bangalore

~~Hobli~~ Uttarahalli Register

~~Village~~

Copy of the Register of Ready Money Grant

General No	Value of the Inam	Description of Inams If for service of it is to be stated whether it is performed If for buildings tanks etc whether they are efficiently kept up	Tenure Hereditary, unconditional for life only, or for two or more lives
1	2	3	
87	Annual payment Rupees 180-12-0 or monthly Rs 15-1-0 paid from the taluk treasury at B.. , above	Devadaya	Permanent For Khaja Service in the Inam Bungalow

in the Village of | in the

When, and by whom, and to whom granted	Name of the party registered in the Standard Mamul or other recognized accounts
5	6
	H. Nagoo Murrie Lawazama Avija of 1851 to 1861
	Cusbah Tarigalare Khaji Mahamed abd Jafer and Nub. 2 Individuals. Rupees 180 - 12 - 0 per annum.
	Taluk Runnur Saljadha Ghurwara 1870 - 75
	Cusbha Bangalore Khaji Mahamed & Abid Jafer Rupees 18 - 7 - 0 per annum

Taluk of in the District

DESCRIPTIVE ROLL OF THE PRESENT RECIPIENT

Name, place of residence, and age	Caste or tribe, height and complexion	Indelible marks tending to the identification of the Inamdar
7	8	9
Town Bangalore.		
Khaja Abeed Sheriff	-	-
Khaja for the time being		

of Bangalore of the Division

Relationship to the grantee or the registered holder	Particulars of the items of the party in Col 7	PARTICULARS OF THE COMMUTED LAND			
		Village and Taluk	Description and No	Extent	Assessment
10	11	12	13	14	15

Recommendation of the Assistant	Review by the Special Assistant and confirmation by the Inam Commissioner
16	17

ayment of Rupees
one hundred and
eighty, and annas
twelve per annum
is ordered and
Confirmed as a
Khoji Service Inam

(Sd) R. H. Cole
Superintendent
27 7 74

Bangalore
Dy

Superintendent
Mysore Rev Survey

66

Office of the Central Mohomedan
Association,
Bangalore, Dated 8th March 1921.

Dear Sir,

I beg to submit herewith a detailed memo giving particulars of the properties attached to the Sultanpet Mosque. I may be permitted to state that with the exception of the Mosque and a building attached to it wherein Khazi is living all the other properties have to be resumed.

I am also inclosing herein copy of Sanad granted to Khazi Abid Sariff in the year 1808. In paras 2 and 3 of this Sanad, you will be pleased to observe, it is stated that whenever repairs are found necessary the Amildar will have to carry them out keeping the mosque in good order.

I am, Yours sincerely,

To

T.E. Jeyaram Iyer Esqr., B.A.,B.L.,
Secretary to Government,
Muzrai Department,
Bangalore.

Detailed memo giving particulars of the properties attached to the Sultanpet Mosque in the City of Bangalore.

Municipal No. 78 is a shop buidling registered in the Municipal accounts in the name of Khazi Husen Shariff deceased-annual tax ₹ 5/-in the possession and enjoyment of Khazi Khudbuddin Shariff a member of the Khazi family residing at Basuvangudi Mohomedan Block rented to Husein Khan Shoe-maker.

79 is a shop building registered in the Municipal accounts in the name of Khazi Husein Shariff deceased-annual tax ₹ 4-8-0 in possession and enjoyment of Ahamadulla Shariff residing in the premises of the Sultanpet Mosque, son of late Khazi Abdi Shariff and uncle of the present Khazi not rented to any body for the present.

80 is a shop building registered in Municipal accounts in the name of late Khazi Abid Shariff annual tax ₹ 5-3-2-in possession and enjoyment of Ahamadulla Shariff son of late Khazi Abdi Sariff uncle of the present Khazi-rented to Govinda-swamy Mudaliar Hair-cutting saloon.

81. is a shop building registered in Municipal accounts in the name of late Khazi Abid Shariff annual tax ₹ 4-12-0-in possession and enjoyment of Sheik Davood and Mohomed Hayath -Mundi Merchants residing in New Taragupet Bangalore, City-rented to Usein Khan shoe-maker.

66, 67, 6
68A, 68B,
& 69A

(7)

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Municipal No. 82. is a shop building registered in Municipal account in the name of late Khazi Abdi Shariff annual tax ₹4-12-0-in the possession and enjoyment of Sheik Davood and Mohomed Hayath-Mundy merchants residing in New Taragupet Bangalore city rented to Siddappa shoe-maker.

83. is a shop building registered in Municipal accounts in the name of late Khazi Abdd shariff annual tax ₹5/-in the possession and enjoyment of Sheik Davood and Mohomed Hayath Mundi merchants residing in New Taragupet Bangalore city rented to Vencatappa.

84 is a shop building registered in the name of late Khazi Abid shariff annual tax ₹7/-in the possession and enjoyment of Sheik Davood and Mohomed Hayath Mundi Merchants residing in New Taragupet Bangalore city rented to Vencatappa.

85. is a shop building registered in the Municipal accounts in the name of late Khazi Abid Shariff annual tax ₹4-8-0-in the possession and enjoyment ~~xxx~~ of Sheik Davood and Mohomed Hayath Mundi Merchants residing in New Taragupet Bangalore city rented to Rachappa Shoe-maker.

86. is a house building registered in the name of late Khazi Abid shariff in the possession and enjoyment of Ahamadulla shariff son of late Khazi Abid Shariff and the uncle of the present Khazi living in the premises of the Mosque annual ~~taxx~~ rent ₹4-8-0 ,

87. is a shop building registered in the name of late Khazi Abid Shariff annual rent ₹3-8-0-in the possession and enjoyment of a lady called Shajadi Bi a member of the Khazi family living in the

mosque premises rented to one Nadar Khan.

Mul. No. 88. is a house building registered in the name of late Khazi Abid Shairff annual tax ₹-1-12-9 in the possession and enjoyment of Ahamadulla Shariff son of late Khazi Abid Shariff and uncle of the present Khazi residing in the Musiid premises.

Mul. 89 & 90. converted into one house registered in the name of Abid Shariff late Khazi annual tax ₹3-3-6 in the possession and enjoyment of Ahamadulla Shariff son of the late Khazi and uncle of the present Khazi rented to Modaliar family.

Mul. No. 17. is an upstair building registered in Municipality in the name of Khazi Ibrahim Sah annual tax ₹11/- in the possession and enjoyment of Khazi Khudbuddin Shariff a member of the family residing at Nasuvangudi Mohomedan block rented to eight families of shoe-makers of whom Kunjappa is the chief man.

17/1 is a shop building registered in the name of late Khazi Abid Shairff annual tax ₹4/-in the possession and enjoyment of of Khazi Khudbuddin Shariff a member of the family residing at Nasuvangudi rented to one Ramiah.

17/2 is a shop building registered in the name of late Khazi Abid Shariff, tax ₹4/-rented to Sakarasetty. Khazi Khudbuddin Sharifff is in possession and enjoyment of the shop also.

17/3. is a shop building in the name of late Khazi Abid Shariff annual tax ₹4/-in the possessi enjoyment of Khazi Khudbuddin Shariff rented

Mundi Devappa.

Mul. 17/4. is a shop building registered in the name of late Khazi Abid Shariff annual tax ₹ 5-6-5 in the possession and enjoyment of the above said Khazi Khudbuddin Shariff rented to one Pamish.

18. Mosque building with a house attached wherein Khazi is living.

19. is a shop building registered in the name of Khazi Mustafa shariff deceased annual tax ₹ 5/- in the possession and enjoyment of Gulam Husein a member of the Khazi family living in the mosque premises.

19/1, 19/2. are two shop buildings converted into three shops annual tax ₹ 9-3-2-registered in the name of deceased Khazi Mustafa Shariff in the possession and enjoyment of one Gulam Husein member of the Khazi family residing in the musjid premises.

Bangalore,
8th March 1921.

II. SANAD

From Dewan Purnaya saheb, appointing Mohammed Abid Sheriff Kazi of Bangalore.

To

Mohammed Abid Shariff.

1. Having regard to your respectability and gentlemanliness, you are hereby appointed to the Office of Kazi of Bangalore Taluk.

2. The mosque will be repaired by the Amildar of the Taluk, but you are directed to ascertain through the Amildar as to the number of Mussalman houses in the villages belonging to the Taluk, with the professions each is engaged in and submit a list to the Huzur. The wedding and funeral ceremonies of these people should be performed by you taking such emoluments from them as they may be able to give without any pressure on them. Those who are unable to give any such emolument, their ceremonies should be performed gratis.

3. Whenever repairs are found necessary to the Mosque, the Amildar may be requested to carry them out keeping the mosque in good order. Do not allow quarrels among the Mahammadans, and when you see that your efforts to preserve order among them will not do any good, have the same effected through the Amildar. If you find that, any deserter either of His Highness' service or of the Hon. East India Company, has by disguise managed to reside within the Taluk or that any pretended Fakir or Thug has taken refuge within the Taluk, inform the Amildar of the same. For if you know that such is the case, do not yourself to be found in fault. If you should find any cases of undue tyranny being exercised upon the people, first tell the Amildar about it. Your son has also been appointed a deputy who should be sent to perform wedding rites, &c., of the Company's native forces now staying at Ulsoor. There are six Taluks in the District and a Shazi in

69☆

each has been nominated by the government and orders issued; and these are the only persons to perform weddings and other religious ceremonies. Should these new Kazis not perform their duties ordered, according to the Muslim rites, you are directed to communicate such cases through an Arzi. These rules should be observed by you in the performance of your functions.

Tuesday 27 the December 1808.

70

Proceedings of the Government of H.H.
the Maharaja of Mysore.

Read:--

Government Order No.497/Miaz.42-92 -- dated 1st August 1920, calling for a report on the alleged alienation of the properties attached to the Mosque in Sultanpet Bangalore City.

(2) Letter No.271 dated 12th August 1920, from the Deputy Commissioner, Bangalore District, reporting on the above.

(3) Letter No.96 dated 6th October 1920, from the Inam Superintendent in ---- Mysore forwarding copy of the Inam Register pertaining to the annual cash grant of -- Rs.160-12-0, to the Khazi of Bangalore City.

Order No. 3639 / 336-10-12

Dated Bangalore, 14th April 1921.

From the Inam Register received with the Inam Superintendent's communication -- read above, it is seen that the cash allowance of Rs.160-12-0, enjoyed by the Khazi, is said granted to him for Qazi services in the town of Bangalore and that the Mosque itself has not been endowed with any cash or land grants as to bring it under the control of the Mazrai Department.

2. Though it is open to Government to interfere in the affairs of even Wakf -- religious institutions, they consider that their interference in the present instance is not called for.

3. The parties concerned may have recourse to a Court of Law or seek the aid of arbitration, just as they may be advis

7/

- 2 -

for a settlement of the disputes about the properties of the mosque.

11/4/24

Secretary to Government,
Mozrai Department.

Rec'd 13.4.24

To

The Deputy Commissioner, Bangalore District, returning the records.

- - - - - - - - - - -

HSR.

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G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D no 2402
15-5-21
Copy of application
of Sir Khaja
Abdul Razak
Sheriff of Pinangalore
applying for a
Copy of Swit order
passed in Sultan
pet Mosque case.

M

Copy delivered
in person to
petitioner
20/5/21

20/5/21

21/5/21

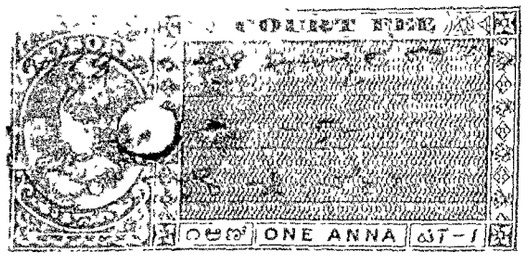
N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.P.S. III.—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form



No 20
21402
20 - 21
Mur

Respected

[illegible]

Bangalore
Dated 19th May 1921

Copy taken

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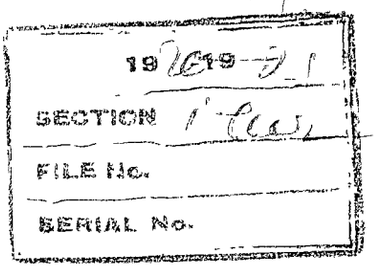
02280

Per 1839

Sec I. Petition

Office of the Deputy Commissioner,
Bangalore District,
Bangalore, 3rd June 1921.

No. 2498



M. Ivengar, Esq., B.A., I.C.S.,
Deputy Commissioner,
Bangalore District.

To

M. Varadaraja Iyer, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Huzrai Department, Bangalore.

I have the honor to forward herewith the copy application dated 3rd May Mr. Mohammed Abbas Khan for an authenticated copy of final order passed by the Government in their order No. Huz.336-10 dated 14th April 1921 with eight annas Court fees produced with the copy application and to request you to be good as to grant a copy to the applicant.

I have the honour to be,
Sir,
Your most obedient servant.

M. Ivengar
Deputy Commissioner,
Bangalore District.

Copy of Govt order cited for has been filed. Only one fee Stamp of 8-0 ordered and copying fee of annas 8/ be refunded. Necessary action taken. C/file

Please put up on Exd: Kittur Office
Bg 9/6/21 J. J.

44 Sir,

New Endorsement

75

From

To

Dated

Despatched

Received

General No.

No.

Enclosure No.

With reference to his application, addressed to the Director Bangalore for supplying him with a copy of the order passed in Suit No. 4 of 1920 on the file of this Court at Bangalore, Mr. Mahomed Abbas Khan is requested to remit to this Office a sum of annas eight being the fee for copying the same

(B. S.

Sdh) [illegible]

Secretary to the

Mysore Legn

8/6/21

Received copy this day —

Khadar Shariff

Clerk. Central Md Association

Bangalore City

7-7-21